

**INITIAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE CALIFORNIA BUILDING STANDARDS COMMISSION
REGARDING THE 2025 CALIFORNIA MECHANICAL CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4
(BSC 01/24)**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS

Government Code Section 11346.2(b)(1) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.

This proposed action by the California Building Standards Commission (BSC) adopts the most current edition of the Uniform Mechanical Code (UMC) of the International Association of Plumbing and Mechanical Officials, (IAPMO) with existing amendments to be moved forward without modification (not shown) and new amendments shown below. BSC's amendments are non-substantive. Each triennial edition of the California Code of Regulations (CCR) becomes effective 180 days after its publication and is effective at the time an application for a building permit is submitted. The adoption of the 2024 UMC will make applicable the most recent edition for use by individuals, businesses and state agencies as mandated by the Health and Safety Code (HSC) Section 18928.

ITEM 1

Chapter 1, *DIVISION I – California Administration* and *DIVISION II - Administration*

BSC proposes to bring forward Chapter 1, Division I, Section 1.1.0 and 1.2.0, from the 2022 California Mechanical Code for adoption into the 2025 California Mechanical Code.

Chapter 1 Administration of the 2024 UMC is renamed Chapter 1, *Division II*, by BSC (this is the amendment carried forward referenced in ITEM 1 above), and contains administrative provisions used by local jurisdictions. Additionally, BSC proposes to carry forward California Amendment Section 104.4.3.1 and continues to not adopt the balance of Chapter 1, *Division II*.

Modification to Division I as follows:

ITEM 1-1

Section 1.1.1 Title

BSC proposes to update the general title statement reflecting adoption of the 2024 Uniform Mechanical Code, the most recent edition of the model code.

Updating the edition of the model code referenced is required to meet Building Standards Law regarding the adoption of the most recent edition of model code within one year of the model code publication. This update will clarify the codes available for use in construction

and maintain the most current building standards for the protection of public health and welfare in the built environment.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2

Chapter 2, Definitions

BSC proposes to adopt Chapter 2 of the 2024 UMC, and to carry forward existing amendment in Section 209 from the 2022 CMC into the 2025 CMC. This ensures accuracy and consistency with existing definitions co-adopted by other state agencies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3

Chapter 3, General Regulations

BSC proposes to adopt the entire Chapter 3 of the 2024 UMC without amendment. This provides general construction provisions for mechanical systems used throughout the state and ensures consistency for the code user.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 4

Chapter 4, Ventilation Air

BSC proposes to adopt Chapter 4 of the 2024 UMC and carry forward existing California amendment in Table 402.1 and former Section 401.2 from the 2022 CMC with minor modification to the numbering, into the 2025 CMC.

ITEM 4-1

Section 401.3 Filters and 401.3.1 Labeling

BSC proposes to carry forward existing amendments with a minor modification to the numbering due to model code restructuring.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 5

Chapter 5, Exhaust Systems

BSC proposes to adopt the Chapter 5 of the 2024 UMC and carry forward existing amendment in Section 511.1.6 from the 2022 CMC into the 2025 CMC. This provides general construction provisions for mechanical systems used throughout the state and ensures consistency for the code user.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 6

Chapters 6, 7, 8, 9, 10, 11, 12, 13, 14

BSC proposes to adopt Chapters 6 through 14 of the 2024 UMC without amendment for use in California for BSC occupancies, as required by statute. This provides general construction provisions for mechanical systems used throughout the state and ensures consistency for the code user.

Chapter 6 – Duct Systems

Chapter 7 – Combustion Air

Chapter 8 – Chimneys and Vents

Chapter 9 – Installation of Specific Appliances

Chapter 10 – Boilers and Pressure Vessels

Chapter 11 – Refrigeration

Chapter 12 – Hydronics

Chapter 13 – Fuel Gas Piping

Chapter 14 – Process Piping

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 7

Chapter 15, Solar Systems

BSC proposes to NOT adopt Chapter 15 of the 2024 UMC.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 8

Chapters 16, 17, 18

BSC proposes to adopt Chapters 16, 17, and 18 of the 2024 UMC into the 2025 CMC without amendment.

Chapter 16 – Stationary Power Plants

Chapter 17 – Geothermal Energy Systems and Ambient Temperature Loops

Chapter 18 – Referenced Standards

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9

Appendix A Residential Plans Examiner Review Form for HVAC System Designs

BSC proposes to NOT adopt Appendix Chapter A of the 2024 UMC in order to avoid conflicts with the Department of Housing and Community Development's (HCD) authority for housing occupancies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 10

Appendices B and C

BSC proposes to adopt Appendix Chapters B and C of the 2024 UMC into the 2025 CMC without amendment.

Appendix B – Procedures to be Follow to Place Gas Equipment in Operation

Appendix C – Installation and Testing of Oil (Liquid) Fuel-Fired Equipment

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 11

Appendices D, E, F, G, H, I, J

BSC proposes to not adopt Appendix Chapters D, E, F, G, H, I and J of the 2024 UMC. These appendices are printed and available for adoption by the authority having jurisdictions which provides access to model code appendix chapters for various locally regulated conditions for use throughout the state.

Appendix D - Fuel Supply: Manufactured/Mobile Home Parks and Recreational Vehicle Parks

Appendix E – Sustainable Practices

Appendix F – Sizing of Venting Systems and Outdoor Combustion and Ventilation Opening Design

Appendix G – Example Calculation of Outdoor Air Rate

Appendix H - Professional Qualifications

Appendix I – Indoor Horticultural Facilities

Appendix J – Clean Air Delivery

CAC Recommendation:

Approve

Agency Response:

Accept

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS

Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

There are no formal studies or reports used as the bases for the proposed adoption of the 2024 UMC. Health and Safety Code Section 18928 mandates this proposed action.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.

California Building Standards Law (Health and Safety Code Section 18901 et seq) requires the adoption of the UMC into the California Mechanical Code (CMC), which contains prescriptive building standards. However, this proposal does not mandate the use of specific technologies or equipment beyond the existing requirements already contained within the CMC. This proposal only contains clarifying code language with no intended change in regulatory effect.

CONSIDERATION OF REASONABLE ALTERNATIVES

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

BSC has not identified any reasonable alternatives to these proposed regulations, which do not mandate the use of specific technologies or equipment. This proposal includes clarifying code language with no intended change in regulatory effect.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

No alternatives were identified to lessen any adverse impact on small businesses. Health and Safety Code Section 18928 mandates the proposed action, which will not result in an adverse impact on small business.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

BSC has determined that this regulatory action would not result in a significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states. These code changes ensure clarity and consistency with existing statutes and regulations.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Government Code Sections 11346.2(b)(2) and 11346.3(b)(1)

The California Building Standards Commission has assessed whether and to what extent this proposal will affect the following:

- A. The creation or elimination of jobs within the State of California.**
These regulations will not affect the creation or elimination of jobs within the State of California.
- B. The creation of new businesses or the elimination of existing businesses within the State of California.**
These regulations will not affect the creation of new businesses or elimination of existing businesses within the State of California.
- C. The expansion of businesses currently doing business within the State of California.**
These regulations will not affect the expansion of businesses currently doing business with the State of California.
- D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.**
These regulations will bring California into compliance with the most recent edition of the national model code (i.e., the 2024 UMC, developed by the International Association of Plumbing and Mechanical Officials), thereby benefiting the welfare of residents, worker safety, and the state's environment.

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.

Because this proposal makes only non-substantive, clarifying changes to existing code language resulting in no change in regulatory effect, BSC estimates there will be no additional cost for the regulated community to comply with these building standards. The benefits of this code change include clarifying code language that will produce sensible and usable state building standards that promote health and safety, consistent with BSC's mission. In coordination with HCD and DSA, and other state agencies and stakeholders, BSC's assumption of no additional cost of compliance is based on the fact that the proposal preserves the existing status quo of the CMC with no intended change in regulatory effect.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

There are no federal regulations related to this proposed action, which is required by Health and Safety Code Section 18928.